

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 16, 2003
SAN FRANCISCO, CALIFORNIA**

S098233

D036869 Fourth Appellate District,
Division One

ALFORD v. S.C. (CITY OF SAN DIEGO)

Rehearing denied

Baxter, J., Chin, J., and Brown, J., are of the
opinion the petition should be granted.

S101633

A093779 First Appellate District,
Division One

KAVANAUGH v. WEST SONOMA SCHOOL

Rehearing denied

Baxter, J., Chin, J., and Brown, J., are of the
opinion the petition should be granted.

Opinion modified – no change in judgment.

S098895

B142962 Second Appellate District,
Division One

COLMENARES v. BRAEMAR COUNTRY CLUB

Requests to modify opinion denied

Werdegar, J., is of the opinion the
modification requests should be granted.

S113136

C037254 Third Appellate District

**BRONCO WINE v. ESPINOZA (NAPA VALLEY
VINTNER ASSOC.)**

Petitions for review granted (civil case)

Werdegar, J., was recused and did not
participate.

Votes: George, CJ., Kennard, Baxter, Chin,
Brown and Moreno, JJ.

S113272

A097117 First Appellate District,
Division Three

OLMSTEAD v. GALLAGHER & COMPANY

Petition for review granted; issues limited (civil case)

Briefing and argument are limited to the issue
whether Code of Civil Procedure section
128.5 authorizes sanctions for bad faith
conduct or litigation abuses that occurred after
December 31, 1994, or whether the imposition

of sanctions for such conduct is governed solely by Code of Civil Procedure section 128.7.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S113301

B148398 Second Appellate District,
Division Seven

VENEGAS v. COUNTY OF LOS ANGELES
Petition for review granted (civil case)

Respondent's petition for review GRANTED.
Appellants' petition for review DENIED

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S104997

B133517 Second Appellate District,
Division Three

PALMER v. GTE CALIFORNIA
Issues ordered limited

The issue before this court is to be limited to:
Is service of a filed-stamped copy of the judgment on a party that intends to move for a new trial sufficient to trigger the jurisdictional time frames of Code of Civil Procedure sections 659 and 660 (Cal. Rules of Court, rule 29 (a)).

Werdegar, J., was recused and did not participate.

S105225

F037295 Fifth Appellate District

PEOPLE v. FLOYD
Issues ordered limited

The parties are advised that argument shall be limited to the first two issues presented in Appellant's Petition for Review, filed March 19, 2002. (See Petn. at p. 1.)

S113966

B155109 Second Appellate District,
Division Eight

PEOPLE v. MINSKY
Review granted/briefing deferred (rule 29.3) -
(criminal case)

Further action in this matter is deferred pending consideration and disposition of a

related issue in *People v. Edmonton*, S112168 (see Cal. Rules of Court, rule 28.2 (c)), or pending further order of the court.

Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S113677

B164051 Second Appellate District,
Division Three

GRAY (HENRY) ON H.C.

Review granted; transferred to CA 2/3 to issue OSC

That court is ordered to vacate its summary denial dated January 28, 2003, and is further ordered to issue an order to show cause, returnable before the Los Angeles County Superior Court. The Director of Corrections is to be ordered to show cause, when the matter is placed on calendar, why the Governor did not abuse his discretion in reversing the April 3, 2002 decision of the Board of Prison Terms finding petitioner suitable for parole, and why there was "some evidence" in the record to support the Governor's determination made pursuant to article V, section 8(b) of the California Constitution and Penal Code section 3041.2. (See, *In re Rosenkrantz* (2002) 29 Cal.4th 616, 667, 682-683.) The return shall be filed on or before May 9, 2003.

Brown, J., was recused and did not participate.

Votes: Kennard, Werdegar, Chin and Moreno, JJ.

S113326

G028002 Fourth Appellate District,
G028170 Division Three
G028821

WOOSLEY v. BUSHNELL

Petition for review denied

S113331

B164252 Second Appellate District,
Division Two

LEADER (WILLIAM) ON H.C.
Petition for review denied

S113339

E029264 Fourth Appellate District,
Division Two

LAMBERT v. GENERAL MOTORS CORP.
Petition for review & publication request denied

S113439

D039992 Fourth Appellate District,
Division One

PEOPLE v. HUHNS
Petition for review denied

S113524

G029533 Fourth Appellate District,
Division Three

LOCKSHAW v. ROHR INC.
Petition for review denied

S113548

B153256 Second Appellate District,
Division Four

B.A.G. INVESTMENTS v. VICTORIA
APARTMENTS
Petition for review denied

S113662

H023851 Sixth Appellate District

PEOPLE v. DEPORCERI
Petition for review denied

Werdegar, J., Brown, J., and Moreno, J., are of
the opinion the petition should be granted.

S113757

A101575 First Appellate District,
Division Four

ZURN INDUSTRIES v. S.C. (AS YOU SOW)
Petition for review denied

S113789

F038427 Fifth Appellate District

PEOPLE v. GARCIA
Petitions for review denied

S113793

A093107 First Appellate District,
A098198 Division Three

PEOPLE v. MOSLEY
Petition for review denied

S113811

D035655 Fourth Appellate District,
Division One

PEOPLE v. SNOW

Petition for review denied

S113823

C040172 Third Appellate District

PEOPLE v. RATHBURN

Petition for review denied

S113835

B154473 Second Appellate District,
Division Three

PEOPLE v. REAL

Petition for review denied

S113865

D039057 Fourth Appellate District,
Division One

CAMARILLO v. VAAGE

Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.

S113885

E033182 Fourth Appellate District,
Division Two

HERNANDEZ v. S.C. (PEOPLE)

Petition for review denied

S113932

H023904 Sixth Appellate District

PEOPLE v. CHANDRA

Petition for review denied

S113935

D038110 Fourth Appellate District,
Division One

PEOPLE v. HAYGOOD

Petition for review denied

S113956

B151931 Second Appellate District,
Division Two

PEOPLE v. GARNICA

Petitions for review denied

S113978

H023864 Sixth Appellate District

ACEVEDO (RUFINO) ON H.C.

Petition for review denied

S113984

A097294 First Appellate District,
Division Two

C. (KENDALL), IN RE

Petition for review denied

S113995

F039525 Fifth Appellate District

PEOPLE v. FONSECA

Petition for review denied

Kennard, J., and Werdegar, J., are of the
opinion the petition should be granted.

S114003B164633 Second Appellate District,
Division Three

HERMAN v. S.C. (1526 SORRENTO DRIVE)

Petition for review denied

S114011

H023126 Sixth Appellate District

PEOPLE v. ACEVEDO

Petitions for review denied

S114023

F038930 Fifth Appellate District

MARTINEZ v. FINANCIAL PACIFIC INSURANCE

Petition for review denied

S114070B163327 Second Appellate District,
Division Eight

BISNO v. S.C. (BISNO)

Petition for review denied

S114079

H023925 Sixth Appellate District

RODRIGUEZ (JOSE) ON H.C.

Petition for review denied

S114080B135346 Second Appellate District,
Division Four

PEOPLE v. GREEN

Petition for review denied

S114082

C037948 Third Appellate District

PEOPLE v. SAIZ

Petition for review denied

S114094H024379 Sixth Appellate District
H024275

A. (ANGELINA), IN RE

Petitions for review denied

S114099D041681 Fourth Appellate District,
Division Two

7-ELEVEN v. ALCOHOLIC BEVERAGE

Petition for review and application for stay denied

S114104

D041680 Fourth Appellate District,
Division One

ALBERTSON'S, INC. v. ALCOHOLIC BEVERAGE
CONTROL et al.
Petition for review denied

S114108

B165164 Second Appellate District,
Division Three

VONS v. ALCHOLIC BEVERAGE CONTROL et al.
Petition for review denied

S114112

G031878 Fourth Appellate District,
Division Three

CHEVRON STATIONS INC. v. ALCOHOLIC
BEVERAGE CONTROL et al.
Petition for review denied

Kennard, J., was recused and did not
participate.

S114113

G031880 Fourth Appellate District,
Division Three

VONS COMPANY v. ALCOHOLIC BEVERAGE
CONTROL et al.
Petition for review denied

S114114

E031445 Fourth Appellate District,
Division Two

PEOPLE v. ROBLES
Petition for review denied

S114117

B165155 Second Appellate District,
Division Three

7-ELEVEN v. ALCOHOLIC BEVERAGE
Petition for review denied

S114119

E033222 Fourth Appellate District,
Division Two

CHEVRON STATIONS v. ALCOHOLIC
BEVERAGE CONTROL
Petition for review denied

Kennard, J., was recused and did not
participate.

S114120

C043350 Third Appellate District

VELASQUEZ v. ALCOHOLIC BEVERAGE
CONTROL

Petition for review and application for stay
denied

S114123

D041683 Fourth Appellate District,
Division One

EQUILON v. ALCOHOLIC BEVERAGE CONTROL
Petition for review denied

S114124

G031879 Fourth Appellate District,
Division Three

ALBERTSON'S, INC. v. ALCOHOLIC BEVERAGE
CONTROL et al.
Petition for review denied

S114134

A098422 First Appellate District,
Division Three

M. (SERGIO), IN RE
Petition for review denied

S114143

G028024 Fourth Appellate District,
Division Three

PEOPLE v. MAZER
Petition for review denied

S114147

C039328 Third Appellate District

PEOPLE v. BENJAMIN
Petition for review denied

S114150

A096851 First Appellate District,
Division One

PEOPLE v. LUJAN
Petition for review denied

S114151

B157456 Second Appellate District,
Division Five

PEOPLE v. WOHL
Petition for review denied

S114154

B153877 Second Appellate District,
Division Eight

PEOPLE v. SMITH
Petition for review denied

S114160

B152485 Second Appellate District,
Division One

PEOPLE v. MORRIS
Petition for review denied

S114161

F037537 Fifth Appellate District

PEOPLE v. SELF
Petition for review denied

S114162

F039996 Fifth Appellate District

PEOPLE v. MOORE

Petition for review denied

S114166A098054 First Appellate District,
Division Two

C. (KENDALL), IN RE

Petition for review denied

S114173

C039699 Third Appellate District

PEOPLE v. WESNER

Petition for review denied

S114174A096855 First Appellate District,
Division Four

PEOPLE v. MOSCOSO

Petition for review denied

S114177B155671 Second Appellate District,
Division Four

PEOPLE v. THOMAS

Petition for review denied

S114180A096935 First Appellate District,
Division Three

PEOPLE v. RAMSEY

Petition for review denied

S114183B156414 Second Appellate District,
Division Three

PEOPLE v. CARTER

Petition for review denied

S114185

F040128 Fifth Appellate District

PEOPLE v. CARRANZA

Petition for review denied

S114189

F038115 Fifth Appellate District

PEOPLE v. LASALLE

Petition for review denied

S114193A094011 First Appellate District,
Division Two

PEOPLE v. PETTAWAY

Petition for review denied

S114194

C043109 Third Appellate District

SMITH v. W.C.A.B. (CITY OF DALY CITY)

Petition for review denied

S114195

B156793 Second Appellate District,
Division Three

PEOPLE v. STROWIG

Petition for review denied

S114199

G027515 Fourth Appellate District,
Division Three

PEOPLE v. VALENCIA

Petition for review denied

S114201

A101675 First Appellate District,
Division Four

HALL v. S.C. (PEOPLE)

Petition for review denied

S114203

A098041 First Appellate District,
Division One

PEOPLE v. DOMINGUEZ

Petition for review denied

S114206

B155102 Second Appellate District,
Division Six

PEOPLE v. MARIANO

Petition for review denied

S114210

H023025 Sixth Appellate District

PEOPLE v. MENDEZ

Petition for review denied

S114213

A096284 First Appellate District,
Division Two

PEOPLE v. GARRISON

Petition for review denied

S114214

B157873 Second Appellate District,
Division Seven

SCHONFELDT v. KNAPP, PETERSEN & CLARKE

Petition for review denied

S114217

C041638 Third Appellate District

PEOPLE v. HENDERSON

Petition for review denied

S114220

B155446 Second Appellate District,
Division Two

PEOPLE v. HAGEMANN

Petition for review denied

S114221

C038917 Third Appellate District

PEOPLE v. HARRIS

Petition for review denied

S114233

C038590 Third Appellate District

PEOPLE v. WILLIAMS

Petition for review denied

S114234G023339 Fourth Appellate District,
Division Three

BURNS v. NATURE'S BEST

Petition for review denied

S114247G031921 Fourth Appellate District,
Division Three

CHAMPPS v. ALCHOLIC BEVERAGE CONTROL

Petition for review and application for stay denied

S114255B118440 Second Appellate District,
Division One

PEOPLE v. MYRON

Petition for review denied

S114258E031272 Fourth Appellate District,
Division Two

PEOPLE v. SANDOVAL

Petition for review denied

S114259B156894 Second Appellate District,
Division Five

PEOPLE v. MICHAIL

Petition for review denied

S114262B157270 Second Appellate District,
B161468 Division Three

PEOPLE v. HAMILTON

Petition for review denied

S114263D039787 Fourth Appellate District,
Division One

TURNER v. S.C. (PEOPLE)

Petition for review denied

Baxter, J., is of the opinion the petition should
be granted.

S114266A092667 First Appellate District,
Division Three

PEOPLE v. DELGADO

Petition for review denied

S114269

C040843 Third Appellate District

C. (RUSSELL), IN RE
Petition for review denied**S114270**A100506 First Appellate District,
Division OneIRIAS (MARIO A.) ON H.C.
Petition for review denied**S114275**G027251 Fourth Appellate District,
Division ThreePEOPLE v. GARCIA
Petition for review denied**S114276**

C039338 Third Appellate District

PEOPLE v. BECHTEL
Petition for review denied**S114277**F039120 Fifth Appellate District
F039121PEOPLE v. MACIAS
Petition for review denied**S114278**G027602 Fourth Appellate District,
Division ThreePEOPLE v. BAILEY
Petition for review denied**S114279**A098191 First Appellate District,
Division ThreePEOPLE v. BAKER
Petition for review denied**S114281**E030490 Fourth Appellate District,
Division TwoPEOPLE v. CRUZ
Petition for review denied**S114289**D037850 Fourth Appellate District,
Division OnePEOPLE v. AITKEN
Petition for review denied**S114290**

F040175 Fifth Appellate District

PEOPLE v. OSEGUERA
Petition for review denied

S114293

A095796 First Appellate District,
Division One

PEOPLE v. IRIAS

Petition for review denied

S114296

F042466 Fifth Appellate District

CUNNINGHAM (JOHN JACOB) ON H.C.

Petition for review denied

S114297

B157452 Second Appellate District,
Division Three

PEOPLE v. SMITH

Petition for review denied

S114300

B157229 Second Appellate District,
Division Three

PEOPLE v. SCHOLTZ

Petition for review denied

S114307

B165298 Second Appellate District,
Division Seven

KOPPER KITTY, INC. v. ALCOHOLIC
BEVERAGE CONTROL

Petition for review and application for stay denied

S114310

C037297 Third Appellate District

R. (OMAR), IN RE

Petition for review denied

S114315

F039727 Fifth Appellate District

PEOPLE v. FISHER

Petition for review denied

S114317

F039051 Fifth Appellate District

PEOPLE v. DEDMON

Petition for review denied

S114318

A098512 First Appellate District,
Division One

PEOPLE v. HENDERSON

Petition for review denied

S114322

C040332 Third Appellate District

R. (STEVEN), IN RE

Petition for review denied

Request for judicial notice granted.

S114339

A101582 First Appellate District,
Division Two

ANDERSON CHEVROLET v. S.C. (SEVILLA)
Petition for review denied

S114356

F039418 Fifth Appellate District

PEOPLE v. BRISTOW
Petition for review denied

S114359

D041400 Fourth Appellate District,
Division One

WOODS (EARNEST C.) ON H.C.
Petition for review denied

S114374

D041443 Fourth Appellate District,
Division One

WOODS v. S.C. (PEOPLE)
Petition for review denied

S114377

B164293 Second Appellate District,
Division Four

CREATIVE CARE, INC. v. S.C. (TUSIANI)
Petition for review and application for stay denied

Kennard, J., and Baxter, J., are of the opinion
the petition should be granted.

S114383

E031069 Fourth Appellate District,
Division Two

PEOPLE v. LEE
Petition for review denied

S114384

E031620 Fourth Appellate District,
Division Two

PEOPLE v. STERLING
Petition for review denied

S114401

B158034 Second Appellate District,
Division Five

PEOPLE v. GODINO
Petition for review denied

S114428

E033184 Fourth Appellate District,
Division Two

GOKHALE v. S.C. (PEOPLE)
Petition for review and application for stay denied

S114678

G027552 Fourth Appellate District,
G031911 Division Three

PEOPLE v. RAJA
Petition for review and application for stay denied

S114693

A101929 First Appellate District,
Division Five

DELEON v. S.C. (PEOPLE)

Petition for review and application for stay denied

S114887

G032038 Fourth Appellate District,
Division Three

PETRIK v. S.C. (INTERAMERICAN BUILDERS)

Petition for review and application for stay denied

S114994

E033344 Fourth Appellate District,
Division Two

GUYETT v. S.C. (PEOPLE)

Petition for review and application for stay denied

S115006

B166210 Second Appellate District,
Division Five

HUGHES v. S.C. (HUGHES BROTHERS)

Petition for review and application for stay denied

S107514

LUJAN (RUBEN K.) ON H.C.

Petition for writ of habeas corpus denied

S108155

KINCADE (ERNEST S.) ON H.C.

Petition for writ of habeas corpus denied

S108157

CORREIA (MICHAEL JOHN) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S108169

STOCKTON (DEAN) ON H.C.

Petition for writ of habeas corpus denied

S108183

NELSON (DERRICK D.) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S108186

ABDUL-HAQQ ON H.C.

Petition for writ of habeas corpus denied

S108235

MITCHELL (GREGORY D.) ON H.C.

Petition for writ of habeas corpus denied

S108678	WILKINSON (ROBERT W.) ON H.C. Petition for writ of habeas corpus denied
S109047	KING (THOMAS E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109110	PAGE (SAMMY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109132	CRUZ (ANDREW G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109362	YOUNG (MALCOLM ANDRE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109366	GALVAN (BENJAMIN E.) ON H.C. Petition for writ of habeas corpus denied
S109430	WILLIAMS (ANTHONY) ON H.C. Petition for writ of habeas corpus denied
S109457	DEBLESIO-YOUNG (BANQUO) ON H.C. Petition for writ of habeas corpus denied
S109459	SHANNON (MICHAEL T.) ON H.C. Petition for writ of habeas corpus denied
S109470	BURLESON (JESSE CLYDE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109473	LAIRD (FREDERICK S.) ON H.C. Petition for writ of habeas corpus denied

S109684	INIESTRA (JORGE) ON H.C. Petition for writ of habeas corpus denied
S109685	JOHNSON (KEITH R.) ON H.C. Petition for writ of habeas corpus denied
S109703	WILLIAMS (STEVEN G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109782	BLANTON (KENNETH P.) ON H.C. Petition for writ of habeas corpus denied
S109900	SANCHEZ (ARNULFO N.) ON H.C. Petition for writ of habeas corpus denied
S110019	CERVANTES (ALFREDO G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110039	MURPHY (RUDY J.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110154	BURLESON (JESSE C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110251	BONE (DONALD D.) ON H.C. Petition for writ of habeas corpus denied
S110412	RILEY (JACK D.) ON H.C. Petition for writ of habeas corpus denied
S110578	LITTLE (GLENN T.) ON H.C. Petition for writ of habeas corpus denied

S110635	GETCHELL (CRAIG S.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110729	WALLRAVIN (JOHNNY RAY) ON H.C. Petition for writ of habeas corpus denied
S111184	BLANTON (KENNETH P.) ON H.C. Petition for writ of habeas corpus denied
S111436	SMITH (HUBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111484	FUNTANILLA (GREGORIO C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111487	WALL (MARVIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111629	WARD (CRAIG A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111632	WALTERS (MICHAEL JOHN SANTOS) ON H.C. Petition for writ of habeas corpus denied
S111697	FUNTANILLA (G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111730	FUNTANILLA (G.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S111750	CONTRERAS (ROBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111889	ZEMARIAN (ABRAHAM T.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111917	GRANDBERRY (RICHARD) ON H.C. Petition for writ of habeas corpus denied
S111935	DELEON (HENRY Y.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S111941	ALLEN (MARK A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112000	DUNN (DYLAN LEE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S112045	SEMEDO (CLIFSTONE) ON H .C. Petition for writ of habeas corpus denied
S112121	BLANTON (KENNETH) ON H.C. Petition for writ of habeas corpus denied
S112667	FUNTANILLA (GREGORIO JR.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S113905	DELEON (HENRY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S114439	MONTOYA (BENJAMIN) ON H.C. Petition for writ of habeas corpus denied

S041630PEOPLE v. JABLONSKI (PHILIP C.)
Extension of time granted

to April 30, 2003 to file appellant's opening brief. Extension is granted based upon counsel Mark D. Greenberg's representation that he anticipates filing that brief by 4/30/2003. After that date, no further extension will be granted.

S053228PEOPLE v. ALEXANDER (ANDRE STEPHEN)
Extension of time granted

to June 10, 2003 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S066377PEOPLE v. ABILEZ (FRANK M.)
Extension of time granted

to June 20, 2003 to file appellant's opening brief. After that date, only three further extensions totaling about 160 additional days will be granted. Extension is granted based upon counsel Russell S. Babcock's representation that he anticipates filing that brief by 12/1/2003.

S110741PADILLA (ALFREDO A.) ON H.C.
Extension of time granted

to May 16, 2003 to file the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 15 additional days will be granted. Extension is granted based upon counsel Rachelle A. Newcomb's representation that she anticipates filing that document by 5/28/2003.

S112103

MARTINEZ (OMAR) ON H.C.
Extension of time granted

to May 15, 2003 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Carlson Legrand's representation that he anticipates filing that document by 5/15/2003. After that date, no further extension is contemplated.

S114347

ARIAS (PEDRO) ON H.C.
Extension of time granted

to May 21, 2003 to file the informal response to the petition for writ of habeas corpus. After that date, only seven further extensions totaling about 210 additional days are contemplated. Extension is granted based upon Deputy Attorney General Alison Elle Aleman's representation that she anticipates filing that document by 12/16/2003.

S014497

PEOPLE v. LAWLEY (DENNIS)
Counsel appointment order filed

Good cause appearing, the application of appointed counsel Scott F. Kauffman for the appointment of associate counsel, filed April 2, 2003, is granted. Bicka A. Barlow is hereby appointed as associate counsel to represent petitioner Dennis Harold Lawley for the pending evidentiary hearing and related post-hearing litigation (*In re Dennis Harold Lawley on Habeas Corpus*, S089463), pursuant to rule 76.6(g) of the California Rules of Court.

S018033

PEOPLE v. SNOW (PRENTICE)
Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed lead and associate counsel for permission to withdraw as habeas corpus/executive clemency attorneys of record

for appellant Prentice Juan Snow, filed February 19, 2003, is granted.

The order appointing Rodger Paul Curnow as lead appellate/habeas corpus counsel of record for appellant Prentice Juan Snow, filed February 5, 1996, is hereby vacated with respect to the capital-related habeas corpus/executive clemency proceedings, and the order designating appointed counsel Debi A. Ramos as associate appellate/habeas corpus counsel of record for appellant Prentice Juan Snow, filed February 5, 1996, is hereby vacated with respect to the capital-related habeas corpus/executive clemency proceedings. Mr. Curnow and Ms. Ramos shall remain as lead and associate appellate counsel of record, respectively, for appellant's pending automatic appeal, and each counsel shall continue to be responsible for all appellate duties specified in Supreme Court Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness standards 1-1 and 2-1.

Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, is hereby appointed to serve as interim habeas corpus/executive clemency counsel of record for appellant Prentice Juan Snow.

Rodger Paul Curnow and Debi A. Ramos are directed to deliver to Executive Director Michael G. Millman, within 30 days from the filing of this order, all habeas corpus investigation work product, trial files, investigation reports and related materials that either one of them has obtained from appellant's trial counsel, paralegals, experts and investigators, or from any other source.

S108099

B123992 Second Appellate District,
B122178 Division Four

WHITE v. DAVIS

Order filed

The request, submitted by state employee intervenors on April 7, 2003, that the court accept for filing a supplemental brief regarding a case upon which counsel was questioned at oral argument is granted. Any

other party may file a reply by letter on or before April 21, 2003, in the San Francisco office of the Supreme Court. The filing of the letter brief and any reply shall not affect the date of submission of this matter. The matter remains submitted as of April 1, 2003.

S113136
C037254 Third Appellate District

BRONCO WINE v. ESPINOZA (NAPA VALLEY
Order filed

The application of Peter M. Brody of Washington, D.C. for admission Pro Hac Vice to appear on behalf of petitioners Bronco Wine Company et al. is hereby granted. (See Cal. Rules of Court, Rule 983.)

The application of Kelly B. Kramer of Washington, D.C. for admission Pro Hac Vice to appear on behalf of petitioners Bronco Wine Company et al. is hereby granted. (See Cal. Rules of Court, Rule 983.)

S115124

SYLVE v. S.C. (PEOPLE)
Transferred to CA 2

S112962

SUGINO ON DISCIPLINE
Recommended discipline imposed

It is ordered that **PAUL SEIICHI SUGINO, State Bar No. 108945**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 30 days and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation,

fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take pass the Multistate Professional Responsibility Examination within one year after the effective date of this order* or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S112964

WESSEL ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **NORMAN ALTER WESSEL, State Bar No. 88320**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys.

Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S112967

NEWCOMER ON DISCIPLINE

Recommended discipline imposed

It is ordered that **MICHAEL SCOTT NEWCOMER, State Bar No. 142913**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 30 days as recommended by the Hearing Department of the State Bar Court in its decision filed on July 12, 2002; and until the State Bar Court grants a motion to terminate his actual

suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. **Michael Scott Newcomer** is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If **Michael Scott Newcomer** is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If **Michael Scott Newcomer** is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S112968

MERRILL ON DISCIPLINE

Recommended discipline imposed

It is ordered that **SCOTT RAYMOND MERRILL, State Bar No. 141637**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for two years and until he makes restitution to Stephen Riley in the amount of \$300 plus 10% interest per annum from December 6, 2000; and until he makes restitution to Scott and Kathleen Creason in

the amount of \$1200 plus 10% interest per annum from April 10, 2000; and until he makes restitution to Marilyn Silva and W. Kenneth Musker in the amount of \$605 plus 10% interest per annum from April 2, 2001; (or to the Client Security Fund, if it has paid) and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; and until he takes and passes the Multistate Professional Responsibility Examination; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on November 13, 2002. Respondent is also ordered to comply with the conditions of probation, if any hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S112976

POWELL ON DISCIPLINE

Recommended discipline imposed

It is ordered that **TERRELL D. POWELL, State Bar No. 67188**, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice

and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on November 18, 2002. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. *Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004 and 2005.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S113235

BLANCO ON DISCIPLINE

Case dismissed – resignation accepted in related case.

The resignation of **SALVADOR M. BLANCO, State Bar No. 133512**, having been accepted in **S114608**, this proceeding is dismissed without prejudice to further proceedings should respondent hereafter seek reinstatement.

